

# Morgan Lewis

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March 29, 2021

**Via ECF**

The Honorable John G. Koeltl  
United States District Court for the  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Courtroom 14A  
New York, NY 10007-1312

**Re: Paguada v. Xenith, LLC, No. 1:21-cv-00141-JGK**  
**Request to Extend Time to Respond to the Complaint**

Dear Judge Koeltl:

We represent defendant Xenith, LLC ("Defendant") in the above-referenced action. Pursuant to Your Honor's Individual Practices, we write with the consent of counsel for Plaintiff Josue Paguada ("Plaintiff"), respectfully to request that the Court extend Defendant's time to respond to the complaint from March 29, 2021 to April 28, 2021. This is Defendant's first request for an extension of time to respond to the Complaint.

In support of this request, counsel for Defendant states that the parties are engaged in discussions about a possible early resolution of this matter. If granted, this extension will permit the parties to focus on those efforts, rather than on pleadings and litigation. As noted above, Plaintiff's counsel consents to this request. If granted, this extension will not affect any other date scheduled in this action.

We thank the Court in advance for its consideration of this request.

Respectfully submitted,

*/s/ Michael F. Fleming*

Michael F. Fleming

*Attorney for Defendant*

cc: All Counsel of Record (via ECF)

Application granted.  
SO ORDERED.

New York, New York  
March 30, 2021

/s/ John G. Koeltl  
John G. Koeltl  
U.S.D.J.

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